

Panaji, 15th October, 2020 (Asvina 23, 1942)

SERIES I No. 29

# OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

## NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 28 dated 08-10-2020, namely:—

(1) Extraordinary dated 12-10-2020 from pages 1195 to 1200 from Department of Law (Legal Affairs Division) Notification No. 7/12/2020-LA and No. 7/17/2020-LA regarding the Factories (Goa Amendment) Act, 2020 and the Industrial Disputes (Goa Amendment) Act, 2020, respectively.

(2) Extraordinary (No. 2) dated 14-10-2020 from pages 1201 to 1202, Notifications regarding GST from Department of Finance (Revenue & Control Division).

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b. —do—	Not.-23/1/87-GA&C (Vol.V)/1486	The Business of the Government of Goa (Allocation) (Thirty-sixth Amendment) Rules, 2020.	1205
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**GOVERNMENT OF GOA**

Department of Agriculture

Directorate of Agriculture

**Notification**

3/3/Hort/SSS/1/2020-21/D.Agri/396

*Sub:-* Addendum to State Sector Scheme 'Development of Horticulture'.*Ref:-* Notification No. 3/3/Hort/SSS/1/2018-19/D.Agri/185 dtd. 22nd November, 2018 published in the Official Gazette, Series I No. 35 dated 29-11-2018.**Addendum**

The following amendment is made in Notification No. 3/3/Hort/SSS/1/2018-19/D.Agri/185 dated 22nd November, 2018 published in the Official Gazette, Series I No. 35 dated 29-11-2018.

The following two components namely Local Vegetable Seed Production Programme and Assistance for Plastic Mulching are added after 5.6 (iv) Assistance for Distribution of Fruit Plants for Homestead Garden.

**5.7 Local Vegetable Seed Production Programme.**— In order to conserve and proliferate local varieties of vegetables, it is proposed to take up local vegetable seed multiplication during 2020-21.

**Objectives:**

- a) To promote conservation of local vegetable germplasm, adaptable to local environment and tolerant resistant to pests and diseases.
- b) To increase the production of local vegetables which are in demand in the state thereby reducing the dependency on neighbouring states.
- c) To make available local vegetable seeds in sufficient quantity for its large scale cultivation.

**Pattern of Assistance:**

1. The farmers willing to cultivate local vegetable for production of seed in minimum area of 0.05 ha. will be registered by the Department of Agriculture as registered seed growers.

2. Such selected farmers will be provided good quality local seeds at 50% subsidised rate besides providing technical knowhow for the production of quality seed. Registered seed growers will be extended other Department Schemes on priority such as Assistance for Irrigation, Fencing, Organic inputs, etc.

3. The vegetable seed produced by the farmer will be purchased by the Directorate of Agriculture at a prefixed rate which will be decided by the committee constituted for the purpose at the beginning of the cropping season.

**5.8 Assistance for Plastic Mulching.**— Vegetables and flowers cultivation face considerable problems due to weed menace. Due to heavy rains and sunshine weeds come up luxuriantly in all the fields posing threat to the main crop. Due to bright sunlight and high temperature the soil moisture gets depleted very fast increasing the demand for irrigation water. Under this component plastic mulching in vegetables and flowers will be promoted to reduce weed menace and conservation of moisture in the soil.

**Pattern of Assistance.**—

1. Plastic mulch of 25 to 50 microns black or white colour can be used depending on the crop which will be assisted under the scheme.
2. The estimated cost of plastic mulch per hectare is approximately Rs. 16000/-.
3. 75% assistance on the cost of material amounting to Rs. 12,000/- ha. will be provided to the farmer.
4. The minimum area that can be assisted is 0.05 ha. and maximum of 4 ha.
5. Assistance will be provided on the actual area covered and certified by the Zonal Agriculture Officer.
6. Material purchased within and outside the State will also be considered for assistance to transfer the technology to the farming community of Goa.



Other contents of the notification remains the same. This addendum shall come into force with immediate effect.

This issues with the approval of Government vide No. 1400074669 dated 26-09-2020.

By order and in the name of Governor of Goa.

*Nevil Alphonso*, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 13th October, 2020.



Department of General Administration

#### Notification

23/1/87-GA&C (Vol.IV)/1484

In exercise of the powers conferred by Article 166 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Goa hereby makes the following rules so as to further amend the Business of the Government of Goa (Allocation) Rules, 1987, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Business of the Government of Goa (Allocation) (Thirty-fifth Amendment) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of Schedule.*— In the Schedule appended to the Business of the Government of Goa (Allocation) Rules, 1987,—

(i) at Serial number "2: Department of Agriculture", after clause (g), the following clause shall be inserted, namely:—

"(h) Agriculture Marketing";

(ii) at Serial number "4: Department of Cooperation" clause (b) shall be omitted and the remaining clauses (c), (d) and (e) shall be renumbered as (b), (c) and (d).

By order and in the name of Governor of Goa.

*Gouresh S. Kurtikar*, Joint Secretary (GA).  
Porvorim, 12th October, 2020.

#### Notification

23/1/87-GA&C (Vol.V)/1486

In exercise of the powers conferred by Article 166 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Goa hereby makes the rules so as to further amend the Business of the Government of Goa (Allocation) Rules, 1987, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Business of the Government of Goa (Allocation) (Thirty-sixth Amendment) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of Schedule.*— In the Schedule appended to the Business of the Government of Goa (Allocation) Rules, 1987,—

(i) at serial number "2, under the heading "Department of Agriculture", after clause (h), the following clause shall be inserted, namely:—

"(i) Sanjivani Sakhar Karkhana and other similar factories by whichever name";

(ii) at serial number "4, under the heading "Department of Cooperation", in clause (d), the words "including Sanjivani Sakhar Karkhana and other similar factories by whichever name" shall be omitted.

By order and in the name of Governor of Goa.

*Gouresh S. Kurtikar*, Joint Secretary (GA).  
Porvorim, 12th October, 2020.



Goa Legislature Secretariat

#### Notification

LA/Legn/2020/1005

In exercise of the powers conferred by section 26 read with section 6 and 7 of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 2004 (Goa

Act 20 of 2004), the Speaker hereby makes the following rules so as to amend the Goa (Grant of Housing advance to Members of the Legislative Assembly) Rules, 2006, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa (Grant of Housing advance to Members of the Legislative Assembly) (First Amendment) Rules, 2020.

They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of rule 3.*— In rule 3 of the Goa (Grant of Housing advance to Members of the Legislative Assembly) Rules, 2006, in sub-rule (2), for the words “two percent per annum”, the words “seven percent per annum”, shall be substituted.

By order and in the name of Governor of Goa.

*Namrata Ulman*, Secretary to the Goa Legislative Assembly.

Assembly Hall, Porvorim, 12th October, 2020.

◆◆◆  
Department of Law  
Legal Affairs Division

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**Notification**

10/6/2020-LA

The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020 (Ordinance No. 10 of 2020), which has been Promulgated by the President in the Seventy-first Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 5-6-2020, is hereby published for the general information of the public.

*D. S. Raut Dessai*, Joint Secretary (Law).

Porvorim, 16th July, 2020.

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**MINISTRY OF LAW AND JUSTICE**  
(Legislative Department)

*New Delhi, the 5th June, 2020/Jyaishtha 15, 1942 (Saka)*

**THE FARMERS' PRODUCE TRADE AND COMMERCE  
(PROMOTION AND FACILITATION) ORDINANCE, 2020**

No. 10 OF 2020

Promulgated by the President in the Seventy-first Year of the Republic of India.

*An Ordinance to provide for the creation of an ecosystem where the farmers and traders enjoy the freedom of choice relating to sale and purchase of farmers' produce which facilitates remunerative prices through competitive alternative trading channels; to promote efficient, transparent and barrier-free inter-State and intra-State trade and commerce of farmers' produce outside the physical premises of markets or deemed markets notified under various State agricultural produce market legislations; to provide a facilitative framework for electronic trading and for matters connected therewith or incidental thereto.*

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance.

## CHAPTER I PRELIMINARY

1. (1) This Ordinance may be called the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020. Short title and commencement.

(2) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires,— Definitions.

(a) “farmers’ produce” means,—

(i) foodstuffs including cereals like wheat, rice or other coarse grains, pulses, edible oilseeds, oils, vegetables, fruits, nuts, spices, sugarcane and products of poultry, piggery, goater, fishery and dairy intended for human consumption in its natural or processed form;

(ii) cattle fodder including oilcakes and other concentrates; and

(iii) raw cotton whether ginned or unginned, cotton seeds and raw jute;

(b) “electronic trading and transaction platform” means a platform set up to facilitate direct and online buying and selling for conduct of trade and commerce of farmers’ produce through a network of electronic devices and internet applications, where each such transaction results in physical delivery of farmers’ produce.

(c) “farmer” means a person engaged in the production of farmers’ produce by self or by hired labour or otherwise, and includes the farmer producer organisation;

(d) “farmer producer organisation” means an association or group of farmers, by whatever name called,—

(i) registered under any law for the time being in force; or



(ii) promoted under a scheme or programme sponsored by the Central or State Government;

(e) “inter-State trade” means the act of buying or selling of farmers’ produce, wherein a trader of one State buys the farmers’ produce from the farmer or a trader of another State and such farmers’ produce is transported to a State other than the State in which the trader purchased such farmers’ produce or where such farmers’ produce originated;

(f) “intra-State trade” means the act of buying or selling of farmers’ produce, wherein a trader of one State buys the farmers’ produce from a farmer or a trader of the same State in which the trader purchased such farmers’ produce or where such farmers’ produce originated;

(g) “notification” means a notification published by the Central Government or the State Governments in the Official Gazette and the expressions “notify” and “notified” shall be construed accordingly;

(h) “person” includes—

(a) an individual;

(b) a partnership firm;

(c) a company;

(d) a limited liability partnership;

(e) a co-operative society;

(f) a society; or

(g) any association or body of persons duly incorporated or recognised as a group under any ongoing programmes of the Central Government or the State Government;

(i) “prescribed” means prescribed by the rules made by the Central Government under this Ordinance;

(j) “scheduled farmers’ produce” means the agricultural produce specified under any State APMC Act for regulation;

(k) “State” includes the Union territory;

(l) “State APMC Act” means any State legislation or Union territory legislation in force in India, by whatever name called, which regulates markets for agricultural produce in that State;

(m) “trade area” means any area or location, place of production, collection and aggregation including—

(a) farm gates;

(b) factory premises;

(c) warehouses;

(d) silos;

(e) cold storages; or

(f) any other structures or places,

from where trade of farmers’ produce may be undertaken in the territory of India but does not include the premises, enclosures and structures constituting—

(i) physical boundaries of principal market yards, sub-market yards and market sub-yards managed and run by the market committees formed under each State APMC Act in force in India; and

(ii) private market yards, private market sub-yards, direct marketing collection centres, and private farmer-consumer market yards managed by persons holding licenses or any warehouses, silos, cold storages or other structures notified as markets or deemed markets under each State APMC Act in force in India;

(n) “trader” means a person who buys farmers’ produce by way of inter-State trade or intra-State trade or a combination thereof, either for self or on behalf of one or more persons for the purpose of wholesale trade, retail, end-use, value addition, processing, manufacturing, export, consumption or for such other purpose.

## CHAPTER II PROMOTION AND FACILITATION OF TRADE AND COMMERCE OF FARMERS’ PRODUCE

3. Subject to the provisions of this Ordinance, any farmer or trader or electronic trading and transaction platform shall have

Freedom to  
conduct trade  
and commerce in

the freedom to carry on the inter-State or intra-State trade and commerce in farmers' produce in a trade area.

4. (1) Any trader may engage in the inter-State trade or intra-State trade of scheduled farmers' produce with a farmer or another trader in a trade area:

Trade and commerce of scheduled farmers' produce.

43 of 1961.

Provided that no trader, except the farmer producer organisations or agricultural cooperative society, shall trade in any scheduled farmers' produce unless such a trader has a permanent account number allotted under the Income-tax Act, 1961 or such other document as may be notified by the Central Government.

(2) The Central Government may, if it is of the opinion that it is necessary and expedient in the public interest so to do, prescribe a system for electronic registration for a trader, modalities of trade transaction and mode of payment of the scheduled farmers' produce in a trade area.

(3) Every trader who transacts with farmers shall make payment for the traded scheduled farmers' produce on the same day or within the maximum three working days if procedurally so required subject to the condition that the receipt of delivery mentioning the due payment amount shall be given to the farmer on the same day:

Provided that the Central Government may prescribe a different procedure of payment by farmer produce organisation or agriculture co-operative society, by whatever name called, linked with the receipt of payment from the buyers.

43 of 1961.

5. (1) Any person (other than individual), having a permanent account number allotted under the Income-tax Act, 1961 or such other document as may be notified by the Central Government or any farmer producer organisation or agricultural cooperative society may establish and operate an electronic trading and transaction platform for facilitating inter-State or intra-State trade and commerce of scheduled farmers' produce in a trade area:

Electronic trading and transaction platform.

Provided that the person establishing and operating an electronic trading and transaction platform shall prepare and implement the guidelines for fair trade practices such as mode of trading, fees, technical parameters including inter-operability with other platforms, logistics arrangements, quality assessment, timely payment, dissemination of guidelines in local language of the place of operation of the platform and such other matters.

(2) If the Central Government is of the opinion that it is necessary and expedient in public interest so to do, it may, for electronic trading platforms, by rules—



(a) specify the procedure, norms, manner of registration;and

(b) specify the code of conduct,technical parameters including inter-operability with other platform andmodalities of trade transaction including logistics arrangements and quality assessment of scheduled farmers' produce and mode of payment,

for facilitating fair inter-State and intra-State trade and commerce of scheduled farmers' produce in a trade area.

6. No market fee or cess or levy, by whatever name called, under any State APMC Act or any other State law, shall be levied on any farmer or trader or electronic trading and transaction platform for trade and commerce in scheduled farmers' produce in a trade area.

Market fee under State APMC Act, etc. in trade area.

7.(1)The Central Government may, through any Central Government Organisation, develop a price information and market intelligence system for farmers' produce and a framework for dissemination of informationrelating thereto.

Price Information and market intelligence System.

(2) The Central Government may require any person owning and operating an electronic trading and transaction platform to provide information regarding such transactions as may be prescribed.

*Explanation.*—For the purposes of this section, the expression “Central Government Organisation” includes any sub-ordinate or attached office, Government owned or promoted company or society.

### CHAPTER III DISPUTE RESOLUTION

8. (1) In case of any dispute arising out of a transaction between the farmer and a trader under section 4 of this Ordinance, the parties may seek a mutually acceptable solution through conciliation by filing an application to the Sub-Divisional Magistrate who shall refer such disputeto a Conciliation Board to be appointed by him for facilitating the binding settlement of the dispute.

Dispute Resolution Mechanism for farmers.

(2) Every Board of Conciliation appointed by the Sub-Divisional Magistrate under sub-section (1), shall consist of a chairperson and such members not less than two and not more than four, as the Sub-Divisional Magistrate may deem fit.

(3) The chairperson shall be an officer serving under the supervision and control of the Sub-Divisional Magistrate and the other members shall be persons appointed in equal numbers to represent the parties to the dispute and any person appointed to represent a party shall be appointed on the recommendation of that party:

Provided that, if any party fails to make such recommendation within seven days, the Sub-Divisional Magistrate shall appoint such persons as he thinks fit to represent that party.

(4) Where, in respect of any dispute, a settlement is arrived at during the course of conciliation proceedings, a memorandum of settlement shall be drawn accordingly and signed by the parties to such dispute which shall be binding upon the parties.

(5) If the parties to the transaction under sub-section (1) are unable to resolve the dispute within thirty days in the manner set out under this section, they may approach the Sub-divisional Magistrate concerned who shall be the “Sub-divisional Authority” for settlement of such dispute.

(6) The Sub-Divisional Authority on its own motion or on a petition or on the reference from any Government agency take cognizance of any contravention of the provisions of section 4 or rules made thereunder and take action under sub-section (7).

(7) The Sub-divisional Authority shall decide the dispute or contravention under this section in a summary manner within thirty days from the date of its filing and after giving the parties an opportunity of being heard, he may—

(a) pass an order for the recovery of the amount under dispute; or

(b) impose a penalty as stipulated in sub-section (1) of section 11; or

(c) pass an order for restraining the trader in dispute from undertaking any trade and commerce of scheduled farmers' produce, directly or indirectly under this Ordinance for such period as it may deem fit.

(8) Any party aggrieved by the order of the Sub-Divisional Authority may prefer an appeal before the Appellate Authority (Collector or Additional Collector nominated by the Collector) within thirty days of such order who shall dispose of the appeal within thirty days from the date of filing of such appeal.

(9) Every order of the Sub-Divisional Authority or Appellant Authority under this section shall have force of the decree of a civil court and shall be enforceable as such, and decretal amount shall be recovered as arrears of land revenue.

(10) The manner and procedure for filing a petition or an application before the Sub-Divisional Authority and appeal before the appellate authority shall be such as may be prescribed.

9. (1) The Agriculture Marketing Adviser, Directorate of Marketing and Inspection, Government of India or an officer of the State Government to whom such powers are delegated by the Central Government in consultation with the respective State Government may, on its own motion or on a petition or on the reference from any Government Agency, take cognizance of any breach of the procedures, norms, manner of registration and code of conduct or any breach of the guidelines for fair trade practices by the electronic trading and transaction platform established under section 5 or contravene the provisions of section 7 and, by an order within sixty days from the date of receipt and for the reasons to be recorded, he may—

Suspension or cancellation of right to operate in Electronic Trading and Transaction Platform.

(a) pass an order for the recovery of the amount payable to the farmers and traders;

(b) impose a penalty as stipulated in sub-section (2) of section 11; or

(c) suspend for such period as he deems fit or cancel the right to operate as an electronic trading and transaction platform:

Provided that no order for recovery of amount, imposition of penalty or suspension or cancellation of the right to operate shall be passed without giving the operator of such electronic trading and transaction platform an opportunity of being heard.

(2) Every order made under sub-section (1) shall have force of the decree of a Civil Court and shall be enforceable as such and the decretal amount shall be recovered as arrears of land revenue.

10. (1) Any person aggrieved by an order under section 9 may, prefer an appeal within sixty days from the date of such order, to an officer not below the rank of joint secretary to the Government of India to be nominated by the Central Government for this purpose:

Appeal against cancellation of the Right to operate.



Provided that an appeal may be admitted even after the expiry of the said period of sixty days, but not beyond a total period of ninety days, if the appellant satisfies the appellate authority, that he had sufficient cause for not preferring the appeal within the said period.

(2) Every appeal made under this section shall be made in such form and manner, and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(3) The procedure for disposing of an appeal shall be such as may be prescribed.

(4) An appeal filed under this section shall be heard and disposed of within a period of ninety days from the date of its filing:

Provided that before disposing of an appeal, the appellant shall be given an opportunity of being heard.

#### CHAPTER IV PENALTIES

11. (1) Whoever contravenes the provisions of section 4 or the rules made thereunder shall be liable to pay a penalty which shall not be less than twentyfive thousand rupees but which may extend to five lakh rupees, and where the contravention is a continuing one, further penalty not exceeding five thousand rupees for each day after the first day during which the contravention continues.

Penalty for  
contravention of  
Ordinance and  
rules.

(2) If any person, who owns, controls or operates an electronic trading and transaction platform, contravenes the provisions of sections 5 and 7 or the rules made thereunder shall be liable to pay a penalty which shall not be less than fifty thousand rupees but which may extend to ten lakh rupees, and where the contravention is a continuing one, further penalty not exceeding ten thousand rupees for each day after the first day during which the contravention continues.

#### CHAPTER V MISCELLANEOUS

12. The Central Government may, for carrying out the provisions of this Ordinance, give such instructions, directions, orders or issue guidelines as it may deem necessary to any authority or officer subordinate to the Central Government, any State Government or any authority or officer subordinate to a State Government, an electronic trading and transaction platform

Powers of  
Central  
Government to  
issue  
instructions,  
directions,  
orders or

or to any person or persons owning or operating an electronic trading and transaction platform, or a trader or class of traders. guidelines.

**13.** No suit, prosecution or other legal proceedings shall lie against the Central Government or the State Government, or any officer of the Central Government or the State Government or any other person in respect of anything which is in good faith done or intended to be done under this Ordinance or of any rules or orders made thereunder. Protection of action taken in good faith.

**14.** The provisions of this Ordinance shall have effect, notwithstanding anything inconsistent therewith contained in any State APMC Act or any other law for time being in force or in any instrument having effect by virtue of any law for the time being in force. Ordinance to have overriding effect.

**15.** No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter, the cognizance of which can be taken and disposed of by any authority empowered by or under this Ordinance or the rules made thereunder. Bar of jurisdiction of civil court.

42 of 1956.

**16.** Nothing contained in this Ordinance, shall be applicable to the Stock Exchanges and Clearing Corporations recognised under the Securities Contracts (Regulation) Act, 1956 and the transactions made thereunder. Ordinance not to apply to certain transactions.

**17. (1)** The Central Government may, by notification, make rules for carrying out the provisions of this Ordinance. Power of Central Government to make rules.

**(2)** In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the system of electronic registration for a trader and modalities of trade transaction of scheduled farmers' produce under sub-section (2) of section 4;

(b) the procedure of payment under proviso to sub-section (3) of section 4;

(c) the manner and procedure for filing a petition or an application before the Sub-divisional Authority and appeal before the appellate authority under sub-section (10) of section 8;

(d) the information regarding transactions under sub-section (2) of section 9;

(e) the form and manner and the fee payable for filing an appeal under sub-section (2) of section 10;

(f) the procedure for disposing of an appeal under sub-section (3) of section 10.

(g) any other matter which is to be or may be prescribed.

18. Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Laying of rules.

19. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Ordinance as may appear to be necessary for removing the difficulty:

Power to remove difficulties.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

RAM NATH KOVIND,  
*President.*

DR. G. NARAYANA RAJU,  
*Secretary to the Govt. of India.*

#### Notification

10/6/2020-LA

The Essential Commodities (Amendment) Ordinance, 2020 (Ordinance No. 8 of 2020), which has been Promulgated by the President in the Seventy-first Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 5-6-2020, is hereby published for the general information of the public.

*D. S. Raut Dessai*, Joint Secretary (Law).

Porvorim, 16th July, 2020.



**MINISTRY OF LAW AND JUSTICE**

**(Legislative Department)**

*New Delhi, the 5th June, 2020/Jyaishtha 15, 1942 (Saka)*

**THE ESSENTIAL COMMODITIES (AMENDMENT)  
ORDINANCE, 2020**

No. 8 OF 2020

Promulgated by the President in the Seventy-first Year of the Republic of India.

An Ordinance further to amend the Essential Commodities Act, 1955.

WHEREAS for the purposes of increasing the competitiveness in the agriculture sector and enhancing the income of the farmers, the regulatory system needs to be liberalised while protecting the interests of consumers;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Essential Commodities (Amendment) Ordinance, 2020. Short title and commencement.

(2) It shall come into force at once.

10 of 1955. 2. In section 3 of the Essential Commodities Act, 1955, after sub-section (1), the following sub-section shall be inserted, namely:— Amendment of section 3.

‘(1A) Notwithstanding anything contained in sub-section (1), —

(a) the supply of such food stuffs, including cereals, pulses, potato, onions, edible oilseeds and oils, as the Central Government may, by notification in the Official Gazette, specify, may be regulated only under extraordinary circumstances which may include war, famine, extraordinary price rise and natural calamity of grave nature;

(b) any action on imposing stock limit shall be based on price rise and an order for regulating stock limit of any agricultural produce may be issued under this Act only if there is—

(i) hundred per cent. increase in the retail price of horticultural produce; or

(ii) fifty per cent. increase in the retail price of non-perishable agricultural foodstuffs,

over the price prevailing immediately preceding twelve months, or average retail price of last five years, whichever is lower:

Provided that such order for regulating stock limit shall not apply to a processor or value chain participant of any agricultural produce, if the stock limit of such person does not exceed the overall ceiling of installed capacity of processing, or the demand for export in case of an exporter:

Provided further that nothing contained in this subsection shall apply to any order, relating to the Public Distribution System or the Targeted Public Distribution System, made by the Government under this Act or under any other law for the time being in force.

*Explanation.*— The expression “value chain participant”, in relation to any agricultural product, means and includes a set of participants, from production of any agricultural produce in the field to final consumption, involving processing, packaging, storage, transport and distribution, where at each stage value is added to the product.’.

RAM NATH KOVIND,  
*President.*

DR. G. NARAYANA RAJU,  
*Secretary to the Govt. of India.*

**Notification**

10/6/2020-LA

The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2020 (Ordinance No. 9 of 2020), which has been Promulgated by the President in the Seventy-first Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 5-6-2020, is hereby published for the general information of the public.

*D. S. Raut Dessai*, Joint Secretary (Law).

Porvorim, 16th July, 2020.

**MINISTRY OF LAW AND JUSTICE****(Legislative Department)***New Delhi, the 5th June, 2020/Jyaishtha 15, 1942 (Saka)***THE INSOLVENCY AND BANKRUPTCY CODE (AMENDMENT)  
ORDINANCE, 2020****No. 9 OF 2020**

Promulgated by the President in the Seventy-first Year  
of the Republic of India.

An Ordinance further to amend the Insolvency and  
Bankruptcy Code, 2016.

WHEREAS the entire ecosystem for implementation of  
the Insolvency and Bankruptcy Code, 2016 is in place;

AND WHEREAS the provisions relating to corporate  
insolvency resolution process and liquidation process for  
corporate persons under the Code are in operation;

AND WHEREAS COVID-19 pandemic has impacted  
business, financial markets and economy all over the world,  
including India, and created uncertainty and stress for business  
for reasons beyond their control;

AND WHEREAS a nationwide lockdown is in force since  
25<sup>th</sup> March, 2020 to combat the spread of COVID-19 which  
has added to disruption of normal business operations;

AND WHEREAS it is difficult to find adequate number of  
resolution applicants to rescue the corporate person who may  
default in discharge of their debt obligation;

AND WHEREAS it is considered expedient to suspend  
under sections 7, 9 and 10 of the Insolvency and Bankruptcy  
Code, 2016 to prevent corporate persons which are  
experiencing distress on account of unprecedented situation,  
being pushed into insolvency proceedings under the said Code  
for some time;

AND WHEREAS it is considered expedient to exclude the  
defaults arising on account of unprecedented situation for the  
purposes of insolvency proceeding under this code;

AND WHEREAS Parliament is not in session and the  
President is satisfied that circumstances exist which render it  
necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by  
clause (1) of article 123 of the Constitution, the President is  
pleased to promulgate the following Ordinance:-



Short title and  
commencement.

1. (1) This Ordinance may be called the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2020.

(2) It shall come into force at once.

Insertion of new  
section 10A.

2. After section 10 of the principle Act, the following section shall be inserted, namely:—

Suspension of  
initiation of  
corporate  
insolvency  
resolution  
process.

“10A. Notwithstanding anything contained in sections 7, 9 and 10, no application for initiation of corporate insolvency resolution process of a corporate debtor shall be filed, for any default arising on or after 25<sup>th</sup> March, 2020 for a period of six months or such further period, not exceeding one year from such date, as may be notified in this behalf:

Provided that no application shall ever be filed for initiation of corporate insolvency resolution process of a corporate debtor for the said default occurring during the said period.

*Explanation.*—For the removal of doubts, it is hereby clarified that the provisions of this section shall not apply to any default committed under the said sections before 25<sup>th</sup> March, 2020.”

Amendment of  
section 66.

3. In section 66 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Notwithstanding anything contained in this section, no application shall be filed by a resolution professional under sub-section (2), in respect of such default against which initiation of corporate insolvency resolution process is suspended as per section 10A.”

RAM NATH KOVIND,  
*President.*

DR. G. NARAYANA RAJU,  
*Secretary to the Govt. of India.*

## Department of Power

Office of the Chief Electrical Engineer

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**Order**

CEE/Estt-Revival S.E./1376

Sanction of the Government is hereby conveyed for revival of one (01) lapsed post of Superintending Engineer (Elect.), Group 'A' Gazetted in the pay matrix level 12 in the Electricity Department as per the details shown below:—

Sr. No.	Jurisdiction	Office to which the post is attached	Budget Head
1	2	3	4
1.	North Goa	EHV and Commercial Section, Office of the Chief Electrical Engineer, Panaji	2801—Power; 05—Transmission and Distribution; 001—Direction & Administration; 01—Establishment (Non-Plan); 01—Salaries.

2. This issues with the approval of Personnel Department vide U.O. No. 1131/F dated 15-08-2020 and concurrence of the Finance Department vide Entry No. 1400074880 dated 19-19-2020 and also of the approval of Hon'ble Chief Minister dated 15-08-2020.

By order and in the name of the Governor of Goa.

*Raghuvir G. Keni*, Chief Electrical Engineer & ex officio Addl. Secretary.

Panaji, 21st September, 2020.

Department of Town & Country  
Planning

—

**Notification**

21/1/TCP/2020/1607

In exercise of the powers conferred by sub-section (2) of section 1 of the Goa Town and Country Planning (Amendment) Act, 2020 (Goa Act 17 of 2020), the Government of Goa hereby appoints the 15th day of October, 2020, as the date on which the provisions of the said Act shall come into force.

By order and in the name of the Governor of Goa.

*James Mathew*, Chief Town Planner (Admn.) & ex officio Joint Secretary.

Panaji, 14th October, 2020.

## Department of Urban Development

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**Notification**

10/836/2020-DMA/4848

The following draft Rules which the Government of Goa proposes to make in exercise of the powers conferred by section 391 read with section 41 of the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003) are hereby pre-published as required by sub-section (1) of section 391 of the said Act for the information of all the persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government on the expiry of a period of 15 days from the date of publication of this Notification in the Official Gazette.

All objections or suggestions to the said draft Rules may be forwarded to the Director, Directorate of Urban Development, 1st Floor,

Dempo Tower, Patto Panaji before the expiry of the said period of 15 days from the date of publication of this Notification in the Official Gazette so that they may be taken into consideration at the time of finalization of the said draft Rules.

### DRAFT RULES

In exercise of the powers conferred under section 391 read with section 41 of the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the City of Panaji Corporation (Ward Committee) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003);

(b) “Wards Committees” means the wards committees established under section 41 of the Act.

Words and expressions used but not, defined in the rules shall have the same meaning as assigned to them in the Act.

3. *Norms for recognition of the non-Government organisations.*— Persons to be nominated from amongst the members of or from Non-Government Organisation shall be from self help group, Association of architects, engineers, town planners, developers, trade organisation or from of any organisation which is working in the following fields in the State of Goa:

- (a) Poverty eradication;
- (b) Improvement of the slums area/slums development;
- (c) Assistance in Self employment;
- (d) Education;
- (e) Environment protection;
- (f) Conservation and maintenance of heritage;
- (g) Urban Development;
- (h) Health;

Such non-Government organizations shall be non-profit organisations registered under the provisions of the Societies Registration Act, 1860 (Central Act 21 of 1860) or any other relevant Act.

4. *Qualification for Nomination as members of Organisation.*— The members of the Non-Government Organisation working in the State and recognized under Rule 3 who are staying in the jurisdiction of the ward committee and who are enrolled in the electoral roll of the ward committee area, shall be qualified for nomination to become a member of the ward committee subject to his name being recommended by the said Organisation.

5. *Selection Procedure for Nomination.*— In case, in any ward committee consisting of 3 or more Councillors, there is difference of opinion about the selection of members then the decision on selection of members will be by a majority and shall be final.

By order and in the name of the Governor of Goa.

Dr. Tariq Thomas, IAS, Director & ex officio Joint Secretary.

Panaji, 14th October, 2020.

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